IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

WRIT PETITION NO : 5729 of 1994

Between:

Smt. C.Bhanubi, W/o. Late D.R.Pakirappa,
aged 36 years, R/o. Guntakal, Ananthapur District.

..... PETITIONER

AND

1 The Zonal manager, Food Corporation of India, Madras.
2 The District Manager, Food Corporation of india, Kurnool.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ or order or direction declaring the action of the respondents in not appointing the petitioner as asst. Grade-III as highly illegal, arbitrary and violative of Articles 14, 16 and 21 of the constitution of India and direct them to appoint the Petitioner as Asst. Grade -III and also grant all the Consequential benefits that Would follow by such appointment.

Counsel for the Petitioner:MR.B.PURSHOTHAM REDDY

Counsel for the Respondents: MR.MEHERCHAND NOORI

The Court made the following :

O R D E R :

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This Writ Petition is filed seeking direction to the respondents to appoint the petitioner as Assistant Grade-III.

2. The husband of the petitioner was working in the Food Corporation of India. However, he died while in service. Therefore, the petitioner made an application for her appointment on compassionate grounds. Taking into consideration, the qualification of the petitioner viz. 10th Class, she was appointed as Class-IV employee i.e. Messenger. Having accepted the said post, the petitioner started making representation for appointing her as Assistant Grade-III. On rejection of her claim, the present Writ Petition has been filed.

3. The learned Counsel for the Food Corporation of India submits that, since the petitioner has passed only 10th Class, she is only entitled for Class-IV category viz. Messenger. In respect of Asst.Grade-III, the minimum educational qualification is graduation.

4. As the petitioner did not possess the minimum educational qualification required for the post of Assistant Grade-III, she was denied the appointment in such a grade. In that view of the matter, I do not find any ground to grant the relief as prayed for.

5. Accordingly, the Writ Petition is dismissed. No costs.

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G. BIKSHAPATHY, J

Dated:09-09-2004

Ccm/prv

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To

1 The Zonal manager, Food Corporation of India, Madras.
2 The District Manager, Food Corporation of India, Kurnool.

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